

By: Estes

S.B. No. 1814

A BILL TO BE ENTITLED

AN ACT

relating to request, receipt, and maintenance of certain security clearance by members of the Public Safety Commission.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 411.036, Government Code, is amended to read as follows:

Sec. 411.0036. REMOVAL OF COMMISSION MEMBER. (a) It is a ground for removal from the commission if a member:

(1) does not have at the time of appointment the qualifications required by Section 411.003;

(2) does not maintain during service on the commission the qualifications required by Section 411.003;

(3) does not request, receive, and maintain a federal secret level security clearance;

(3)(4) violates a prohibition established by Section 411.0035;

(4)(5) cannot discharge the member's duties for a substantial part of the term for which the member is appointed because of illness or disability; or

(5)(6) is absent from more than half of the regularly scheduled commission meetings that the member is eligible to attend during a calendar year unless the absence is excused by majority vote of the commission.

(b) The validity of an action of the commission is not

1 affected by the fact that it is taken when a ground for removal of a  
2 commission member exists.

3 (c) If the director has knowledge that a potential ground  
4 for removal exists, the director shall notify the chairman of the  
5 commission of the potential ground. The chairman shall then notify  
6 the governor and the attorney general that a potential ground for  
7 removal exists. If the potential ground for removal involves the  
8 chairman, the director shall notify the member with the longest  
9 tenure on the commission, other than the chairman, who shall then  
10 notify the governor and the attorney general that a potential  
11 ground for removal exists.

12 SECTION 2. This Act takes effect immediately if it receives  
13 a vote of two-thirds of all the members elected to each house, as  
14 provided by Section 39, Article III, Texas Constitution. If this  
15 Act does not receive the vote necessary for immediate effect, this  
16 Act takes effect September 1, 2013.